

**REAL ESTATE APPRAISERS BOARD MEETING
MINUTES
MARCH 2, 2005**

PRESENT: Roger Roslansky, Karen Scott, Sharon Fiedler, LaMarr Franklin, and Mark Kowbel

STAFF PRESENT: Jerry Lowrie, Bureau Director; Ruby Jefferson-Moore, Legal Counsel; Pat Schenck, Program Assistant; and Division of Enforcement Staff.

GUESTS: Debbi Conrad, Wisconsin Realtors Association

CALL TO ORDER

LaMarr Franklin called the meeting to order at 9:06 a.m. A quorum of five voting members was present.

AGENDA

Additions to Agenda:

- Add Dale W. Mustas to Item 15
- Add Anthony Rasberry and Richard E. DuBose to Item 18. a.
- Delete 04 APP 046 and add 02 APP 053 to Item 18. b.

MOTION: Mark Kowbel seconded by Sharon Fiedler, to adopt the agenda as with additions. Motion carried unanimously.

APPROVAL OF MINUTES NOVEMBER 10, 2004

MOTION: Karen Scott moved, seconded by Mark Kowbel, to approve the minutes of November 10, 2004 as written. Motion carried unanimously.

ELECTION OF OFFICERS FOR 2004

The Real Estate Appraisers Board held open elections for Board Officers for 2005.

MOTION: LaMarr Franklin moved, seconded by Roger Roslansky, to appoint Mark Kowbel as Chair. Motion carried unanimously.

MOTION: LaMarr Franklin moved, seconded by Roger Roslansky, to appoint Sharon Fiedler as Vice Chair. Motion carried unanimously.

MOTION: Mark Kowbel moved, seconded by Karen Scott, to appoint Roger Roslansky as Secretary. Motion carried unanimously.

APPOINT BOARD REPRESENTATIVES FOR SCREENING PANEL

LaMarr Franklin, Chair, called for Board members to serve as screening panel members.

The 2005 Screening Panel members are Sharon Fiedler, Mark Kowbel, and Karen Scott.

ADMINISTRATIVE REPORT

Board Roster

Noted.

2005 Meeting Dates

The next meeting will be on May 11, 2005.

Summary Reports on Pending Court Cases, Disciplinary Cases and Administrative Rules and Press Releases

Noted.

Department Travel policy

Mr. Lowrie reported on the Department's travel policy. The Department will fund one Board members travel expenses per fiscal year for each Board and individual Section.

Department Budget Update

Mr. Lowrie reported on the Governor's budget reduction of 10% along with staff reductions by 11.85 positions. The Governor's budget proposal is to restructure the Department by moving attorneys, paralegals, human resource staff, and payroll benefit services to the Department of Administration. Consolidate attorneys to become part of an enterprise-wide law firm. This would reduce the Department positions by 28 full time employees. The expenditure authority would remain to purchase services from the Department of Administration. Investigators and other Division of Enforcement staff will remain at the Department.

WTCS In-Service Review and Discussion

Mr. Lowrie reported on the WTCS In-Service Review and Discussion meeting that took place at the Department on March 1, 2005 to discuss the schools meeting the new AQB required core curriculum.

Schools are looking at new criteria to develop course work and requirements. The attendees discussed establishing deadline dates for schools having the core curriculum in place, and the deadline dates for students to meet the new core curriculum requirements.

TRAVEL

AARO Fall Conference, October 9-12, 2004, Wyndham Washington Hotel, Washington DC Report by Sharon Fiedler Handouts

Sharon Fiedler gave a report at the November 10, 2004 Board meeting.

April 9-11 AARO Spring Conference- St. Louis

Sharon Fiedler would like to attend the AARO Spring Conference in St. Louis, Mo. if the Department would be able to provide funding for the registration fee.

MOTION: Roger Roslansky moved, seconded by Karen Scott, to nominate Sharon Fiedler to attend the April 9-11, 2005 AARO Spring Conference in St. Louis, MO subject to funding by the Department. Motion carried unanimously.

April 8 The Appraisal Foundation Criteria Meeting- St. Louis

Dr. Barbara Showers, Director, Office of Education, and Examinations will be attending a seminar conducted by the Appraisal Qualifications Board (AQB) Criteria Implementation Task Force appointed by the Board of Trustees of the Appraisal Foundation to support the AQB in taking proactive steps to ensure the smooth implementation of the new core curriculum criteria.

The Foundation will conduct seminars for state regulators and educational providers that provide an overview of the key changes in the criteria; discuss implementation options for the states, and address questions. There is no fee to attend this seminar. The seminar is in conjunction with the AARO Conference on April 8, 2005 in St. Louis, MO.

The Foundation will produce publications to assist states in understanding and implementing the new Criteria. A brochure will provide information on the regulation of real property appraisers, the role of the AQB, a brief history of the Criteria, an overview of the 2008 Criteria, and frequently asked questions being posed by state appraiser regulators, educational providers and appraisers.

Individual states could arrange a visit by AQB members and Foundation staff to discuss the issues specific to a state at no cost.

EDUCATION, EXPERIENCE, AND EXAMINATION ISSUES

Report of the REA Education and Experience Advisory Committee meeting of March 1, 2005

Mark Kowbel reported that the Committee discussed the deadline dates for schools to implement the new core curriculum and the applicant deadline dates for course requirements. The Committee

postponed setting deadline dates until the May 11, 2005 Board meeting after Dr. Showers returns from the AQB seminar on April 8, 2005.

Ms. Ruby Jefferson-Moore updated the Board on the problems in establishing cut off dates for students and schools in meeting the new core curriculum requirements.

LEGISLATION AND ADMINISTRATIVE RULES

Review of Revisions to RL 80-87

Ms. Jefferson-Moore reported on minor revisions to the rules.

PRACTICE ISSUES

None.

APPRAISER QUALIFICATIONS BOARD

Real Property Appraiser Qualification Criteria, Effective January 1, 2008

The Board reviewed the Real Property Appraiser Qualifications Criteria, and interpretations of the Criteria, that become effective January 1, 2008.

Review of Revised Chart Outlining New AQB Requirements

The Board reviewed the revised chart outlining Real Estate Appraisers education, experience, and continuing education requirements for licensed, certified residential and certified general appraisers.

State-by-State Implementation Chart

The Board reviewed a chart indicating a state-by-state implementation of the 2008 AQB criteria changes.

APPRAISAL STANDARDS BOARD

DISCUSSION OF EXPOSURE DRAFTS ON PROPOSED REVISIONS TO USPAP

No discussion took place.

Advisory Opinions

There were no opinions.

Scope of Work Project

No discussion too place.

USPAP Q & A December 2004

Informational item only.

BOARD MEMBER ACTIVITY

Karen Scott updated the Board on the Real Estate Appraisers Application Advisory Committee meetings and stated that the process of individual Committee members reviewing appraisal experience and appraisal reports of applicants applying for a license is going well. The Committee uses an appraisal review form when reviewing appraisal reports and the members are using Standard III. Individual Committee members review 3 appraisal reports from an applicant to see if they are in compliance with USPAP and brings them back to the entire Committee for approval.

The Committee has declined 10% or less appraisal reports, referred a few to the Division of Enforcement and requested additional reports or information that complies with USPAP.

NEW BUSINESS- ASC ISSUES AND CORRESPONDENCES

None.

PRESENTATION OF PROPOSED STIPULATIONS BY DIVISION OF DIVISION OF ENFORCEMENT INCLUDING STIPULATIONS SIGNED AFTER THE MAILING OF THE AGENDA

The following stipulations were not presented in open session.

Monique Myhre 04 APP 031

Jane Lynaugh 04 APP 015

Mr. Jack Temby, Attorney, presented the following stipulations in open session.

David Ostertag 04 APP 016

Deanne Lane 04 APP 020

Michael Augustyn 04 APP 009

Dale W. Mustas 04 APP 021

Mark Herman, Attorney, presented the following stipulations in open session.

James Monette 01 APP 021

Thomas Schwaab 01 APP 005

INFORMATIONAL MATTERS

None.

VISITORS COMMENTS

None.

CLOSED SESSION

MOTION: Karen Scott moved, seconded by Roger Roslansky, to convene to Closed Session to deliberate on cases involving hearings (s. 19.85 (11) (a), Stats.); to consider licensure or discipline (s. 19.85(1) (b), Stats. to consider individual histories or disciplinary data (s. 19.85(1) (f), Stats.); and to confer with legal counsel (s. 19.85(1) (g), Stats. Motion carried by roll call vote: Sharon Fiedler-yes, Mark Kowbel-yes, Roger Roslansky-yes, LaMarr Franklin-yes, Karen Scott-yes.

Open Session recessed at 10:30 a.m.

RECONVENE TO OPEN SESSION

MOTION: Karen Scott moved, seconded by Mark Kowbel, to reconvene into Open Session at 10:49 a.m.. Motion carried unanimously.

VOTE ON ITEMS CONSIDERED OR DELIBERATED UPON IN CLOSED SESSION, IF VOTING IS APPROPRIATE MONITORING REPORT

ANTHONY RASBERRY

MOTION: Roger Roslansky moved, seconded by Karen Scott, to grant Anthony Rasberry a three-month extension to May 10, 2005 to submit completion of continuing education credits or request an additional extension. Motion carried.

CASE CLOSINGS

02 APP 037

MOTION: Karen Scott moved, seconded by Roger Roslansky, to close case **02 APP 037** for prosecutorial discretion (P5). Case Advisor, Sharon Fiedler. Motion carried.

04 APP 030

MOTION: Karen Scott moved, seconded by Sharon Fiedler, to close case **04 APP 030** for prosecutorial discretion (P1). Case Advisor, Mark Kowbel. Motion carried.

02 APP 053

MOTION: Karen Scott moved, seconded by Sharon Fiedler, to close case **04 APP 053** for no violation. Case Advisor, Mark Kowbel. Motion carried.

PROPOSED DECISION

None.

STIPULATIONS

JAMES MONETTE 01 APP 021

MOTION: Mark Kowbel moved, seconded by Sharon Fiedler, to adopt the Stipulation, Findings of Fact, Conclusions of Law and Order in the matter concerning **James Monette 01 APP 021**. Motion carried unanimously.

THOMAS SCHWAAB 01 APP 005

MOTION: Roger Roslansky moved, seconded by Karen Scott, to adopt the Stipulation, Findings of Fact, Conclusions of Law and Order in the matter concerning **Thomas Schwaab 01 APP 005**. Motion carried unanimously.

MOTION: Karen Scott moved, seconded by Mark Kowbel, to amend the motion to reflect that the parties will amend the stipulation to reflect that a Board member approve the course. Motion carried unanimously.

MONIQUE MYHRE 04 APP 031

MOTION: Mark Kowbel moved, seconded by Karen Scott, to adopt the Stipulation, Findings of Fact, Conclusions of Law and Order in the matter concerning **Monique Myhre 04 APP 031**. Motion carried unanimously.

DAVID OSTERTAG 04 APP 016

MOTION: Sharon Fiedler moved, seconded by Karen Scott, to adopt the Stipulation, Findings of Fact, Conclusions of Law and Order in the matter concerning **David Ostertag 04 APP 016**. Motion carried unanimously.

DEANNE LANE 04 APP 020

MOTION: Roger Roslansky moved, seconded by Karen Scott, to adopt the Stipulation, Findings of Fact, Conclusions of Law and Order in the matter concerning **Deanne Lane 04 APP 020**. Motion carried unanimously.

JANE LYNAUGH 04 APP 015

MOTION: Mark Kowbel moved, seconded by Sharon Fiedler, to adopt the Stipulation, Findings of Fact, Conclusions of Law and Order in the matter concerning **Jane Lynaugh 04 APP 015**. Motion carried unanimously.

MICHAEL AUGUSTYN 04 APP 009

MOTION: Roger Roslansky moved, seconded by Sharon Fiedlerl, to adopt the Stipulation, Findings of Fact, Conclusions of Law and Order in the matter concerning **Michael Augustyn 04 APP 009**. Motion carried unanimously.

DALE W. MUSTAS 04 APP 021

MOTION: Mark Kowbel moved, seconded by Roger Roslansky, to adopt the Stipulation, Findings of Fact, Conclusions of Law and Order in the matter concerning **Dale W. Mustas 04 APP 021**. Ruby Jefferson-Moore was not present during discussion. Motion carried unanimously.

RICHARD E. DUBOSE 01 APP 020, 01 APP 025, 01 APP 004, 01 APP 019

Stipulations in the matter concerning Richard E. Dubose were deferred to the May 11, 2005 Board meeting.

ADMINISTRATIVE WARNING

None.

CONFER WITH LEGAL COUNSEL

No issues.

SUCH OTHER ITEMS AS AUTHORIZED BY LAW

None.

OTHER BOARD BUSINESS

None.

ADJOURNMENT

MOTION: Karen Scott moved, seconded by Roger Roslansky, to adjourn the meeting at 11:08 a.m.. Motion carried unanimously.

Next Meeting: May 11, 2005